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Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))</small>	Attorney Docket No.	P-2762-US1
	First Inventor or Application Identifier	STEINER, M., et al.
	Title	AN ISOLATED NUCLEIC ACID ENCODING P-HYDE
	Express Mail Label No.	

APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small>	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
1. <input type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	5. <input type="checkbox"/> Microfiche Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Specification [Total Pages <input type="text"/> (preferred arrangement set forth below) <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the invention</li><li>- Brief Summary of the invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul>	6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Computer Readable Copy</li><li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</li><li>c. <input type="checkbox"/> Statement verifying identity of above copies</li></ul>
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <input type="text"/> 4. Oath or Declaration [Total Pages <input type="text"/> <ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</li><li>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 16 completed)<ul style="list-style-type: none"><li>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</li></ul></li></ul>	<b>ACCOMPANYING APPLICATION PARTS</b> <ul style="list-style-type: none"><li>7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</li><li>8. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)</li><li>9. <input type="checkbox"/> English Translation Document (if applicable)</li><li>10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</li><li>11. <input type="checkbox"/> Preliminary Amendment</li><li>12. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</li><li>13. <input type="checkbox"/> * Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)</li><li>14. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</li><li>15. <input type="checkbox"/> Other:</li></ul>

\* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:  
☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 09 / 302,457  
Prior application Information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_  
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or ☐ Correspondence address below

Name	MARK S. COHEN, EITAN PEARL LATZER, & COHEN ZEDEK C/O LANDON & STARK ASSOCIATES				
Address	ONE CRYSTAL PARK, SUITE 210 2011 CRYSTAL DRIVE				
City	ARLINGTON	State	VA	Zip Code	22202-3709
Country	USA	Telephone	212-981-4517	Fax	212-981-4518

Name (Print/Type)	MARK S. COHEN	Registration No. (Attorney/Agent)	42,425
Signature		Date	11/26/99

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

\$ #3  
PATENT  
P-2762-US1



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): STEINER, Mitchell S., et al

SERIAL NO: 09/449,817

EXAMINER:

FILED: November 26, 1999

GROUP ART UNIT: 1652

FOR:

AN ISOLATED NUCELIC ACID ENCODING P-HYDE PROTEIN AND  
METHODS OF INDUCING SUSCEPTIBILITY TO INDUCTION OF CELL  
DEATH IN CANCER

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

ATTENTION: BOX MISSING PARTS

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND  
PETITION FOR A THREE-MONTH EXTENSION OF TIME**

Sir:

In response to the Notice of File Missing Parts of Application under 37 CFR 1.53(b), mailed January 10, 2000 (a copy of which is enclosed), Applicant(s) submit herewith the following:

1. ☒ an executed Declaration and Power of Attorney making reference to the above-identified application, and in compliance with 37 C.F.R. 1.63;
2. ☐ a Verified Statement Claiming Small Entity Status For a Business Concern; and
3. ☒ a Preliminary Amendment.

A response was due March 10, 2000. Applicant(s) hereby petition for a three-month extension of time. Therefore, a response is now due on June 10, 2000. Since June 10, 2000 falls out on a Saturday, a response is due the next business day, i.e. June 12, 2000. Accordingly, this Response and Petition are being timely filed.

The Patent Office is hereby authorized to charge Deposit Account 05-0649 in the amount of \$2,326.00, covering the following:

06/14/2000 NLUANG 00000007 050649 09449817  
01 FC:117 870.00 CH



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/449,817 11/26/99 RINALDY

A P-2762-US1

0212/0111  
EITAN PEARL LATZER & COHEN-ZEDEK  
LONDON & STARK ASSOCIATES  
2011 CRYSTAL DRIVE  
ONE CRYSTAL PARK SUITE 210  
ARLINGTON, VA 22202-3709



NOT ASSIGNED

1652

DATE MAILED:

01/10/00

### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 2,824.

☒ 1. The statutory basic filing fee is:

☒ missing.

☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 738.00 for 41 total claims over 20.

\$ 936.00 for 12 independent claims over 3.

\$ 260.00 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

*Everett Williams*

Customer Service Center

Patent Examination Division (703) 302-1202

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050649

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06/14/2000 NLUNG

760.00 CH  
312.00 CH  
324.00 CH  
130.00 CH

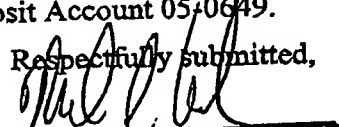
01 FC:101  
02 FC:102  
03 FC:103  
04 FC:105

APPLICANT(S): STEINER, Mitchell S. et al.  
 SERIAL NO.: 09/449,817  
 FILED: November 26, 1999  
 Page 2

FEE CALCULATION				
<b>1. BASIC FILING FEE</b>				
	Large Entity Fee	Small Entity Fee		690.00
Utility	\$690	\$345		0
Provisional	\$150	\$75		
<b>2. EXTRA CLAIM FEES</b>				
Total Claims	38	-20 ** =	18	x
			18	=
				324.00
Independent Claims	7	-3 ** =	4	x
			78	=
				312.00
			Multiple Dependent	x
				=
Large Entity Fee	Small Entity Fee	Fee Description		
\$18	\$9	Claims in excess of 20		
\$78	\$39	Independent claims in excess of 3		
\$260	\$130	Multiple dependent claim, if not paid		636.00
<b>3. Fee for Petition for Extension of Time</b>				
	Large Entity Fee	Small Entity Fee		0
	\$110	\$55	Extension for reply within first Month	0
	\$380	\$190	Extension for reply within second Month	0
	\$870	\$435	Extension for reply within third Month	870.00
	\$1,360	\$680	Extension for reply within fourth Month	0
<b>4. Subcharge Fee Under 37 CFR 1.16(e) or 1.492(e)</b>				
	Large Entity Fee	Small Entity Fee		130.00
Utility	\$130	\$65		
<b>5. Subcharge Fee Under 37 CFR 1.16(f)</b>				
	Large Entity Fee	Small Entity Fee		0
Provisional	\$50	\$25		
<b>TOTAL</b>				\$2,326.00

If any additional fee is required, the undersigned attorney hereby authorizes the Patent Office to charge such additional fee to Deposit Account 05-0649.

Respectfully submitted,

  
 Mark S. Cohen  
 Attorney for Applicant(s)  
 Registration No. 42,425

Dated: June 12, 2000

Eitan, Pearl, Latzer & Cohen-Zedek  
 One Crystal Park, Suite 210  
 2011 Crystal Drive  
 Arlington, VA 22202-3709  
 Tel: 703.486.0600  
 Fax: 703.486.0800



PATENT  
P-2762-US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): STEINER, Mitchell S., et al.

SERIAL NO: 09/449,817

EXAMINER:

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FOR: AN ISOLATED NUCLEIC ACID ENCODING P-HYDE PROTEIN AND  
METHODS OF INDUCING SUSCEPTIBILITY TO INDUCTION OF CELL  
DEATH IN CANCER

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

ATTENTION: BOX MISSING PARTS

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

Attached is a copy of the official filing receipt received from the U.S. Patent and Trademark Office in connection with the above-identified Application for which issuance of a corrected filing receipt is respectfully requested.

There is an error in that the first named inventor (listed below) was omitted from the filing receipt:

**Mitchell S. STEINER** address: Germantown, Tennessee, USA

The correction or the error is not due to an error by Applicant(s) and no fee is due. Applicants are forwarding herewith a copy of the Oath and Declaration and Transmittal Form evidencing that Mitchell S. Steiner was a named inventor on the originally filed documents with the subject Application.

If any additional fee is required, the undersigned attorney hereby authorizes the Patent Office to charge such additional fee to Deposit Account 05-0649.

Respectfully submitted,

Mark S. Cohen

Attorney for Applicant(s)

Registration No. 42,425

Dated: June 12, 2000

Eitan, Pearl, Latzer & Cohen-Zedek  
One Crystal Park, Suite 210, 2011 Crystal Drive  
Arlington, VA 22202-3709  
Tel: 703.486.0600  
Fax: 703.486.0800

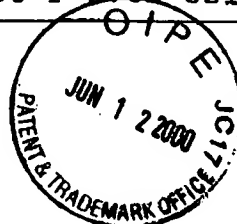
FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/449,817	11/26/99	1652	\$0.00	P-2762-US1	10	61	15

EITAN PEARL LATZER & COHEN-ZEDEK  
LANDON & STARK ASSOCIATES  
2011 CRYSTAL DRIVE  
ONE CRYSTAL PARK SUITE 210  
ARLINGTON VA 22202-3709



Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) **MITCHELL S. STEINER, GERMANTOWN, TN;**  
**AUGUSTINE RINALDY, MEMPHIS, TN; REMA MENON, MEMPHIS, TN.**

CONTINUING DATA AS CLAIMED BY APPLICANT-  
THIS APPLN IS A CIP OF 09/302,457 04/29/99

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 01/10/00  
TITLE  
ISOLATED NUCLEIC ACID ENCODING P-HYDE PROTEIN AND METHODS OF INDUCING  
SUSCEPTIBILITY TO INDUCTION OF CELL DEATH IN CANCER

PRELIMINARY CLASS: 435

DATA ENTRY BY: WILLIAMS, EVERETT, TEAM: 01 DATE: 01/10/00

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

(See reverse for new important information)